



*City of Alexandria, Virginia*  
*Department of Planning & Zoning*

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**SPECIAL USE PERMIT CERTIFICATE**

Article XI, Division A, Section 11-510 of the 1992 Zoning Ordinance of the City of Alexandria, Virginia requires that you display this Special Use Permit in a conspicuous and publicly accessible place. A copy of the list of conditions associated with the special use permit shall be kept on the premises and made available for examination by the public upon request.

|                                  |                             |
|----------------------------------|-----------------------------|
| Special Use Permit               | SUP #2016-0102              |
| Approved by Planning and Zoning: | March 16, 2017              |
| Permission is hereby granted to: | Del Ray Montessori School   |
| to use the premises located at:  | 100-120 East Windsor Avenue |
| for the following purpose:       | see attached report         |

It is the responsibility of the Special Use Permit holder to adhere to the conditions approved by City Council. The Department of Planning and Zoning will periodically inspect the property to identify compliance with the approved conditions. If any condition is in violation, the permit holder will be cited and issued a ticket. The first violation carries a monetary fine. Continued violations will cause staff to docket the special use permit for review by City Council for possible revocation.

March 16, 2017

Date

*Karl Moritz*

Karl Moritz, Director

Department of Planning and Zoning



DATE: March 16, 2017

TO: Alex Dambach, Division Chief  
Department of Planning and Zoning

FROM: Ann Horowitz, Planner  
Department of Planning and Zoning

SUBJECT: Special Use Permit #2016-0102  
Administrative Review for a Minor Amendment  
Site Use: Day care and private academic school  
Applicant: Del Ray Montessori School  
Location: 100-120 East Windsor Avenue  
Zone: R 2-5/Residential

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**Request**

Special Use Permit #2016-0102 is a request to amend SUP #2015-0064 to permit up to 46 children to occupy the parsonage, instead of 12 children as represented in SUP #2015-0064. The applicant does not propose to increase the overall number of children accommodated at the day care center and school, and no additional changes to the business are proposed.

**Background**

Special Use Permit #2011-0037 was administratively approved for the Del Ray Montessori School for the operation of a 21-child day care center in late summer 2011. In February 2012, City Council approved SUP#2011-0062 to increase the overall number of children at the site to 40 and to include a private academic school for the education of children, ages six and over (compulsory school age). In May 2013, City Council approved SUP#2013-0007 allowing the Del Ray Montessori School to increase the number of children at the site from 40 to 50. In November 2014, City Council approved SUP#2014-0084 to increase enrollment from 50 to 64 children and to add occasional accessory parent/child classes on Saturday mornings. A parking reduction was granted at that time. The Del Ray Montessori School operates as one institution, although the school provides two uses: a child day care and a private academic school. Since the early 1980s, Creative Play School has operated at the site, sharing the church building with the applicant. Special Use Permit #2001-0137, approved in 2002, permitted it to have up to 120 children in the afternoons. City Council approved SUP #2015-0062 for an amendment to increase enrollment, increase hours of operation, and a parking reduction on September 12, 2015. A recent SUP inspection revealed compliance with all conditions.

**Community Outreach**

Public notice was provided through eNews, via the City's website, and by posting a placard on the site. In addition, the Del Ray Citizens Association, the Rosemont Citizens Association, and the North Ridge Citizens association were sent notification of the

application. Staff did not receive questions or comments from residents regarding the request.

**Staff Action**

Staff believes the applicant's request to allow up to 46 children to occupy the parsonage is reasonable. Impacts are not anticipated as the total number of children would remain the same and parking, traffic, and noise would not intensify. Staff has amended Condition 3 to allow the applicant to distribute the children between the school building and the parsonage as the educational programs dictate, contingent on compliance with all code requirements and a Certificate of Occupancy. Staff hereby approves the Special Use Permit request.

**ADMINISTRATIVE ACTION - DEPARTMENT OF PLANNING AND ZONING:**

Date: 3/16/17  
Action: Approved

  
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Alex Dambach, Division Chief

Attachments: 1) Special Use Permit Conditions  
2) Statement of Consent  
3) City Department Conditions

**CONDITIONS OF SPECIAL USE PERMIT #2017-0003**

The applicant is responsible for ensuring that the following conditions are adhered to at all times. Violation of any of the conditions may result in fines and/or referral to public hearing by the Planning Commission and City Council.

1. The Special Use Permit shall be granted to the applicant only or to any business or entity in which the applicant has a controlling interest. (P&Z) (SUP#2011-0037)
2. The hours of operation for the day care center and school shall be limited to between 8:00 a.m. and 5:30 p.m., Monday through Friday. In addition, the day care center and school may operate on Saturday mornings to offer accessory parent-child classes. (P&Z) (SUP #2015-0064)
3. **CONDITION AMENDED BY STAFF:** The maximum number of children permitted at the combined child care facility and private school at any one time

shall be 85 for the 2015-2016 school year. The Director of Planning and Zoning shall review the Special Use Permit no later than March 15, 2016 for compliance with all conditions and will determine if an enrollment increase of ten children can be permitted during the 2016-2017 school year. The Director of Planning and Zoning shall review the Special Use Permit no later than March 15, 2017 for compliance with all conditions and will determine if an enrollment increase of seven children can be permitted during the 2017-2018 school year and for each year after. The approved number of children may be accommodated in the school building and the parsonage, consistent with all code requirements and a Certificate of Occupancy. (PC) (P&Z) (SUP #2015-0064)

4. The maximum number of children, attending any child care center or private school on site, that are permitted to play outdoors at the site at any one time shall be 45. (P&Z)(SUP#2011-0062)
5. The facility shall obtain all required state, federal, and local licenses and certificates prior to opening its place of business. (P&Z) (SUP#2011-0037)
6. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all Special Use Permit provisions and requirements. The applicant shall also inform parents on an ongoing basis, including as part of any parent orientation, of all applicable Special Use Permit provisions and requirements. (P&Z) (SUP#2013-0007)
7. Trash and garbage shall be stored inside or in sealed containers that do not allow odors to escape or invasion by animals. No trash or debris shall be allowed to accumulate outside of those containers. Outdoor trash receptacles shall be screened to the satisfaction of the director. (P&Z) (T&ES) (SUP#2011-0037)
8. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be monitored and picked up at least once during the day and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is in operation. (T&ES) (SUP#2011-0037)
9. The applicant shall provide adequate drop-off and pick-up facilities that minimizes impact on pedestrian and vehicular traffic in a designated pick-up and drop-off area to be located on the north side of East Windsor Avenue to the satisfaction of the Director of Planning & Zoning. Any signage deemed necessary to designate this area for the pick-up and drop off of students shall be erected by the City at the applicant's cost. Day care/school employees must escort children to and from the parents' vehicles. The applicant shall ensure that no vehicles double park on East Windsor Ave or Clyde Avenue for pick-up or drop-off. Staff will continue to work with the applicant to monitor the safety and effectiveness of

- the Windsor drop off location and may make changes to the drop off plan in consultation with neighbors and the applicant if staff believes there are any issues related to safety or road access caused by the Windsor location.  
(P&Z)(T&ES)(City Council) (SUP#2011-0062)
10. The applicant shall provide information about alternative forms of transportation to access the location of the day care center, including but not limited to print and electronic promotional materials, posting on the day care website, and other similar methods. (T&ES) (SUP#2011-0037)
  11. Condition deleted. (See Condition #17) (SUP#2011-0062)
  12. Condition deleted. (See Condition #17) (SUP#2011-0062)
  13. The use shall comply with the City's noise ordinance. All loudspeakers shall be prohibited from the exterior of the building and no amplified sound shall be audible at the property line. (T&ES) (SUP#2013-0007)
  14. Prior to the day care center opening for business, the applicant shall contact the Community Relations Unit of the Alexandria Police Department at 703-838-4520 regarding a security survey for the child care center and robbery readiness training for all employees. (Police) (SUP#2011-0037)
  15. **CONDITION AMENDED BY STAFF:** The Director of Planning and Zoning shall review the Special Use Permit one year after approval and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the Director has received a request from any person to docket the permit for review as a result of a complaint that rises to the level of a violation; or (c) the Director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z) (SUP ~~#2015-0064~~)
  16. **CONDITION AMENDED BY STAFF:** ~~The applicant shall provide a signed contract to the Director showing that at least four off-street parking spaces are made available by the applicant for its employees at an offsite location to the satisfaction of the Director of Planning & Zoning. The applicant shall provide an up-to-date contract to the Director upon request. The applicant shall maintain an up-to-date parking agreement for 4 off-street parking spaces for employees during business hours to the satisfaction of the Directors of Planning and Zoning and Transportation and Environmental Services. Evidence of the parking agreement~~

shall be provided during regular SUP inspections. (P&Z) (T&ES) (~~SUP #2015-0064~~)

17. Six tandem parking spaces are permitted in the parsonage driveway. (SUP #2015-0064)
18. The applicant shall require its employees who drive to use off-street parking. (T&ES) (SUP #2015-0064)
19. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES) (SUP #2015-0064)
20. **CONDITION AMENDED BY STAFF:** The applicant shall encourage its employees to use public transportation to travel to and from work. ~~Within 60 days of Council approval, the business shall contact the Transportation Planning Division at 703-746-4686 for information on establishing an employee transportation benefits program.~~ The business shall contact Go Alex at [goalex@alexandriava.gov](mailto:goalex@alexandriava.gov) for information on establishing an employee transportation benefits program. (T&ES) (~~SUP #2015-0064~~)

**CITY DEPARTMENT COMMENTS**

Legend: C - code requirement R - recommendation S - suggestion F - finding

**Transportation & Environmental Services:**

**Findings:**

1. Transportation and OEQ have no comments on this SUP application.

**Conditions:**

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8. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be monitored and picked up at least once during the day and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is in operation. (T&ES)
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**City Code Requirements:**

1. The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line. (T&ES)

2. The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99). In order to comply with this code requirement, the applicant shall provide a completed Recycling Implementation Plan (RIP) Form within 60 days of City Council approval. Contact the City's Recycling Program Coordinator at (703) 746-4410, or via e-mail at commercialrecycling@alexandriava.gov, for information about completing this form. (T&ES)

Fire Department:

- C-1 Applicant shall submit to Code and Fire a plan view of the room layout for all students outlining the floor level the students are located on, their age, number of students in each room, doors, and window locations for evaluation. This is the same request made last year related to SUP2015-00064.

Code Enforcement:

- C-1 The Applicant will need to identify the location of the 18 month year old children. The temporary certificate of occupancy has expired to allow children that are 18 months or younger in the facility located at 100 East Windsor. There should not be any children 18 months or younger in that facility for this program. The facility located at 108 East Windsor has a certificate of occupancy which states the maximum occupancy for this structure is 46 which does not allow any 18 month year old children on the second floor.

Health Department:

No comment received

Recreation, Parks and Cultural Activities:

No comment received

Police Department:

No comment received

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2016-0102. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the restaurant at 100-120 East Windsor Drive.

  
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Applicant - Signature

4/7/17  
Date

Sarah Fondriest  
Applicant - Printed

4/7/17  
Date

